

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
v.	)	<b>CASE NO: 2:06-CR-144-WKW</b>
	)	
<b>PAUL MEREZ GRAHAM</b>	)	

**NOTICE OF APPEAL**

**NOW COMES** the Defendant, **PAUL MEREZ GRAHAM**, by and through undersigned counsel, Michael J. Petersen, and files this notice of appeal of this Court's denial of his Motion to Suppress, filed on August 10, 2006, (Doc #18), and his *Addendum* to his Motion to Suppress filed on September 12, 2006. (Doc #30). On June 15, 2007, this Court held an evidentiary hearing as to the Defendant's Motion and Addendum. (Doc #60). The Magistrate Judge issued a Report and Recommendation on July 9, 2007, denying the Defendant's Motion and Addendum. (Doc #61). This Report and Recommendation was adopted by this Court over the Defendant's Objections on September 19, 2007. (Doc #69). On April 28, 2008, the Defendant entered into a conditional plea agreement with the Government pursuant to Rule 11(c)(1)(A) and Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, Amended, reserving the Defendant's right to pursue the denial of his Motion to Suppress on appeal. (Doc #100). On July 22, 2008, the Plea Agreement was accepted by this Court and the Defendant was sentenced. (Doc #112). The Defendant has previously been found to be indigent and entitled to appointed counsel (Doc #83), and is entitled pursuant to 18 U.S.C. § 3006A(d)(7) to proceed with this appeal without prepayment of fees and costs or security therefore and without filing the affidavit required by Section 1915(a) of Title 28. *See United States v. Osuna*,

141 F.3d 1412, 1414 (10th Cir. 1998); *United States v. McKee*, 309 F.Supp.2d 1358, 1359 at n.1 (M.D. Ala. 2004).

Dated this 1st day of August, 2008.

Respectfully submitted,

s/ Michael J. Petersen  
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ASB-5072-E48M

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Nathan Stump, Esquire  
Assistant United States Attorney  
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Montgomery, Alabama 36104

Respectfully submitted,

s/ Michael J. Petersen  
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